

REMARKS

I. Amendment to the Claims

Claim 4 has been amended to solely further clarify Applicants' claimed invention. Claim 4 has been amended to incorporate the limitation of Claim 5, which has now been canceled. Claim 4 has been further amended to further define the SOLID SUPPORT and LINKER. New Claim 15 has been added to further limit the LINKER. Support for the claim amendments can be found on pages 6-7 and 11 of the Specification and the claims as originally filed. No new matter has been added. Upon entry of this Amendment, Claims 4 and 15 will be pending.

II. Rejection under 35 U.S.C. § 103(a)

Claims 4 and 15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Luthra et al (US 2004/0236085)("Luthra") in view of Stevens et al. (WO01/14354) ("Stevens") and Scheler (US 4,540,648)("Scheler"). Applicants respectfully disagree and traverse the rejection.

Applicants' claimed invention is directed to a regiospecific solid-phase ^{18}F -fluorination process of benzothiazole compounds. Specifically, according to Applicants' claimed invention, the TRACER of formula (Ab1) is labeled with ^{18}F at either the R^5 or R^8 position. As recognized by the Examiner, Luthra fails to teach or suggest the labeling of benzothiazole compounds, much less the regiospecific labeling of benzothiazole compounds. Hence Luthra fails to teach or suggest Applicant's claimed regiospecific benzothiazole ^{18}F -labeling process.

Stevens and Scheler are relied upon for their description of benzothiazole compounds. However Stevens describes that their ^{18}F labeled compounds are prepared from the corresponding iodo substituted compound (Stevens, page 5, Ins. 13-17). Stevens is silent as to Applicants' claimed process. Scheler is wholly unconcerned with radiofluorination of benzothiazole compounds. Thus one of skill in the art would not be motivated by either Stevens or Scheler to regiospecifically radiofluorinate a benzothiazole compound according to Applicant's claimed process.

None of the references whether alone or in combination would teach or suggest Applicant's claimed invention. Applicants' claimed invention is not obvious in view of the cited references. Applicants respectfully request this rejection be withdrawn.

III. Conclusion

In view of the remarks herein, Applicants believe that each ground for rejection or objection made in the instant application has now been successfully overcome or obviated, and that all the pending claims are now in condition for allowance. Withdrawal of the Examiner's rejections and objections, and allowance of the current application are respectfully requested.

The Examiner is invited to telephone the undersigned in order to resolve any issues that might arise and to promote the efficient examination of the current application.

The Director is hereby authorized to charge any fees due in connection with this Amendment against Deposit account number 502-665.

Respectfully submitted,

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